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District Court of the United States
Northern District

U.S. DISTRICT COURT of 13
NORTHERN DISTRICT OF TEXAS

FILED

NOV 10 2014

CLERK US DISTRICT COURT
By WC Deputy

UNITED STATES OF AMERICA

v.

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No. 4:14-CR-00023-A

CHRISTOPHER ROBERT WEAST, ex rel.) Special Visitation Only

Challenge to Subject-Matter Jurisdiction
Affidavit of Fact
Questions for Government

This declaration/affidavit is submitted by Christopher Robert, a living soul manifest of the House of Weast and is NOT the declaration of CHRISTOPHER ROBERT WEAST, who:

1. Does not exist.
2. Is NOT a product of my voluntary consent to act in a "public" capacity as an agent of the federal government.
3. Is a "franchisee" of the federal government engaged in a "trade or business" as defined in 26 U.S.C. § 7701(a)(26).

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4. Uses the de facto license number called a "Social Security Number" or "Taxpayer Identification Number". The license is "de facto" rather than "de jure" because: The [U.S. Supreme Court] has said that congress cannot establish a "trade or business" in a state in order to tax it.
5. It provides silent judicial notice of consent to the terms of the Social Security Trust document.
6. If government officially recognized the Social Security Number as a license number, they would also have to recognize the income tax as voluntary and provide a method to "involunteer".
7. Is a "public officer" of the [United States] government operating under the following MAJOR legal disabilities:

"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [State ex rel. Nagle v. Sullivan, 98 Mont 425, 40 P2d 995, 99 ALR 321; Jersey City v. Hague, 18 NJ 584, 115 A2d 8] Furthermore, the view has been expressed that all public officers, within whatever

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branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts. [Georgia Dep't of Human Resources v. Sistrunk, 249 Ga. 543, 291 SE2d 524]. "A public official is held in public trust." That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves. [Maddener v. Finley (1st Dist) 161 Ill. App. 3d 796, 113 Ill. Dec 712, 515 NE2d 693, app. gr 117 Ill. Dec 226, 520 NE2d 387 and revd on other grounds 128 Ill. 2d 147, 131 Ill. Dec 145, 538 NE2d 520; Chicago Park Dist. v. Kenroy, Inc., 78 Ill. 2d 555, 37 Ill. Dec 291, 402 NE2d 181, appeal after remand (1st Dist) 107 Ill. 6 App. 3d 222, 63 Ill. Dec. 134, 437 NE2d 783]. and owes a fiduciary duty to the public. [United States v. Holzer, (CA7 Ill) 816 F2d 304 and vacated, remanded on other grounds 484 US 807, 98 L. Ed. 2d 18, 108 S. Ct. 53, on remand (CA7 Ill) 840 F2d 1343, cert den 486 US 1035, 100 L. Ed. 2d 608, 108 S. Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F2d 1056) and

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(superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d 1367) and

(among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass) 898 F.2d 230, 29 Fed. Rules. Evid. Serv. 1223). It has been said that

Fiduciary responsibilities of a public officer cannot be less than those of a private individual. [Chicago

ex rel. Cohen v. Keane, 64 Ill. 2d 559, 2 Ill. Dec 285, 357 NE2d 452, later proceeding (1st Dist) 105 Ill. App. 3d

298, 61 Ill. Dec 172, 434 NE2d 325]. Furthermore, it

has been stated that any enterprise undertaken by

the public official which tends to weaken public

confidence and undermine the sense of security for

individual rights is against public policy. "[Indiana

State Ethics Comm v. Nelson (Ind App) 656 NE2d

1172, reh gr (Ind App) 659 NE2d 260, reh den

(Jan 24, 1996) and transfer den (May 28, 1996)].

8. Is a "pro se" or "pro per" litigant representing the

"public officer" fiction described above.

9. Has a "residence" in the District of Columbia pursuant

to 26 U.S.C. § 7701(a)(39) and 26 U.S.C. § 7408(d)

and in the Corporate federal "State" called the

"STATE OF TEXAS" pursuant to section 6018 and

17018.

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10. Has no Constitutional Rights as an artificial entity.
11. Is a "trustee" of a Social Security Trust that is wholly owned by the [United States] corporation defined in 28 U.S.C. § 3002 (15)(A).
12. The above person is NOT party to this case/suit and is legally "dead", his office never having been lawfully or consensually occupied and him never having personally made application to fill such an office. The corpus of the public trust is in receivership and has been legal abandoned.
13. The heart of the Separation of Powers Doctrine is 4 U.S.C. § 72, which essentially says that whenever Congress wants to reach outside the ten mile square prison cell that the Founders bequeathed to us to ensure a LIMITED government, it must write a statute.
14. Courts are not legislative bodies so they can't create statutory jurisdiction outside of federal territory. Only Congress can do it using the authority of a statute.
15. Statutes alone that have no implementing regulations published in the Federal Register give Congress the authority to enforce only against its own

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officers, instrumentalities, employees, benefit recipients, members of the military, and other federal "franchises" pursuant to Article 1, section 8, Clause 17.

16. If Congress wants to ALSO extend the enforcement of the statutes to PRIVATE persons domiciled in states of the Union who are not federal instrumentalities and agents, the Federal Register Act and the Administrative Procedures Act both ALSO require that implementing regulations must be published to enforce. This publication serves the mandatory constitutional requirement for "reasonable notice" of the laws which the people domiciled in states of the Union will be bound by. Without said implementing regulations published in the Federal Register, all enactments of Congress are limited to its own officers, employees, instrumentalities, and agencies and may NOT apply to PRIVATE Americans domiciled in states of the Union who have no contacts or agency with the federal government.

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Summary of Important Facts

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1.1 Name: Christopher Robert Weast (NOT "CHRISTOPHER ROBERT WEAST")

1.2 Capacity in which acting: Sui Juris

"Sui Juris. Of his own right; possessing full social and civil rights; not under any legal disability, or the power of another, or guardianship. Having capacity to manage one's own affairs; not under legal disability to act for one's self." [Black's Law Dictionary, Sixth p. 1434]

1.3 833 Hallvale Drive, Fort Worth, Texas, USA

1.4 Domicile: Kingdom of Heaven. Not within any man-made government. This is a religious practice protected by the First Amendment. Do NOT "reside" or maintain a legal "domicile" within "STATE OF TEXAS" or "State of Texas" or within any United States judicial district, or internal revenue district.

1.5 Place of birth: Earth; January 31, 1974

1.6 Citizenship: 1. "non-citizen national" pursuant to 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452

2. Not a statutory citizen pursuant to 8 U.S.C. §1401

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3. Constitutional but not statutory "National".

1.7 Federal franchises: 1. Never made application to participate in Social Security.

1.8 Tax status for period in which original case/suit applies:

1. "nonresident alien" as defined in 26 U.S.C. § 7701 (b)(1)(B) not engaged in a "trade or business" as defined in 26 U.S.C. § 7701(a)(26). Status described in 26 CFR § 1.871-1(b)(i).

2. No "gross income" pursuant to 26 CFR § 1.872-2(f), 26 CFR § 31.3401(a)(6)-1(b); 26 U.S.C. § 861(a)(3)(C)(i); 26 U.S.C. § 3401(a)(6); 26 U.S.C. § 1402(b).

4 U.S.C. 72 Limitations

1. Questions to be answered

1.1 Ignore these questions if you agree with them and after ten (10) days without a reply from the government attorney will constitute the government's agreement to the following facts:

1.2 Admit there is no statute enacted by Congress in the Statutes at Large which "expressly extends" enforcement of Title 18 to areas not under the jurisdiction of the federal government pursuant to 40 U.S.C. § 3112 and within the exterior limits of a state. Admit _____ Deny _____

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1.3 Admit that there is no valid statute which confers Article III standing on a federal U.S. district court. Admit _____ Deny _____

1.4 Admit that there is no admissible evidence that Christopher Robert Weast, and NOT CHRISTOPHER ROBERT WEAST, is situated within the District of Columbia, pursuant to Treasury Order 150-02 or within any territory of the UNITED STATES.
Admit _____ Deny _____

2. Rationale:

2.1 The heart of the separation of powers doctrine is found in 4 U.S.C. § 72. This statute states:

Title 4 > Chapter 3 > § 72
§ 72. Public offices; at seat of Government

All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

2.2 Article 1, Section 8, Clause 17 of the Constitution expressly limits the territorial jurisdiction of the

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federal government to the ten square mile area known as the District of Columbia. Extensions to this jurisdiction arose at the signing of the Treaty of Peace between the King of Spain and the United States in Paris France, which granted to the United States new territories such as Guam, Cuba, the Philippines, etc.

2.3 The Supreme Court of the United States has stated repeatedly that the United States federal government is without ANY legislative jurisdiction within the exterior boundaries of a sovereign state of the Union:

"The difficulties arising out of our dual form of government and the opportunities for differing opinions concerning the relative rights of state and national governments are many; but for a very long time this court has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or their political subdivisions. The same basic reasoning which leads to that conclusion, we think, requires like limitation upon the power which springs from the bankruptcy clause. United States v. Butler, supra." Ashton v. Cameron County Water Improvement

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District No. 1, 298 U.S. 513, 56 S.Ct. 892 (1936)]

"It is no longer open to question that the general government, unlike the states, [Hammer v. Dagenhart, 247 U.S. 251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas. 1918E 724], possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation. [Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]

2.4 40 U.S.C. § 3112 creates a presumption that the United States government does not have jurisdiction unless it specifically accepts jurisdiction over lands within the exterior limits of a state of the Union.

Therefore, for the following reasons I AM Demands this matter be dismissed with Prejudice due to the fact I AM is not a "commercial person" nor a "public agent of the government", nor a "franchise," and does not reside in the "Several States" as defined in the Constitution for the United States of America (without the United States) nor has I AM been a citizen of, or domiciled in one of the "several States defined

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in the statutes of the United States, nor is there an existing contract wherein I knowingly, willingly, and intentionally waived Sovereign Immunity and my Sovereign Immunity cannot be waived no more than the "UNITED STATES" corporations alleged sovereignty can be waived without an express waiver of said Sovereignty, in writing, without this court first admitting at the same time, that said court and all its Officers and employees are unlawfully operating outside the Constitution for the United States of America. Therefore, this action should be Dismissed with Prejudice for Want of Subject Matter Jurisdiction as well as Want of Diversity Jurisdiction.

Witness quorum

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I, a living soul manifest, now bear witness with my own eyes and attest through my own hand, this notice and free will writing, Challenge to Subject Matter Jurisdiction, by Christopher Robert on this 31st Day of October in the Year Two Thousand and Fourteen.

House of
Christopher Robert
Christopher Robert - House of Weast
Ustazet Dignitary - Member

Christopher Robert WEST
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CLERK OF COURT

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Eldon B Mahon
Judge Mcbryde
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